

REMARKS

Claims 15-30 are all the claims pending in the application. By this Amendment, Applicants cancel claims 1-4, and add new claim 30.

I. Priority Documents:

At numbered paragraph 1 of the Office Action, the Examiner indicates that the government file includes a certified copy of only one of the two Priority Documents. Specifically, the Examiner points out the certified copy of JP 11-218001 has been received, but the certified copy of JP 11-218002 has not been received. Apparently, the Examiner would like Applicants to provide a certified copy of JP 11-218002. Applicants do not supply the certified copy for the following reason.

This application is the national stage of a PCT application. As such, no certified copy is required, unless necessary to overcome an intervening reference. MPEP 1893.03(c) even indicates that the certified copy requirement is fulfilled when the International Bureau forwards the priority document (which is simply a copy of a certified copy). In this case, the FORM PCT/DO/EO/903 (dated July 20, 2001) indicates that the USPTO received the Priority Documents from the International Bureau.

II. Drawings:

The Examiner objects to the drawings because Figs. 13A and 13B should be designated by a "Prior Art" legend. Applicants submit replacement Figs. 13A and 13B (indicated as "REPLACEMENT SHEET" in the top margin of the sheet), in which a "Prior Art" legend has been implemented.

III. Specification:

The Examiner objects to the specification because the written description refers to the “claims.” Applicants amend the specification by deleting all of the references to the “claimed” invention in favor of references to --aspects-- of the invention. Applicants also amends the specification to correct typographical errors.

IV. Claims Rejections Under 35 U.S.C. § 112(2nd):

The Examiner rejects claims 8, 11, 28, and 29 under 35 U.S.C. § 112(2nd) for the reasons noted at numbered paragraph 5 of the Office Action.

Applicants cancel claims 8 and 11, thereby rendering the rejection of these claims moot.

With respect to claim 28, Applicants implement the Examiner’s helpful amendment suggestion by deleting the objectionable term “may” in favor of --is--.

V. Allowable Subject Matter:

At numbered paragraph 10 of the Office Action, the Examiner indicates that claims 24-27 would be allowable if rewritten in independent form, and that claims 28 and 29 would be allowable if rewritten in independent form and to overcome the §112(2nd) rejection discussed in section IV above. Applicants do not rewrite any of the claims because base claim 15 is believed to be patentable for the reasons discussed in detail below.

VI. Claim Rejections on Prior Art Grounds:

The Examiner rejects claims 1, 3-6, and 8-14 under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. 5,824,169 to Landers et al. (“Landers”); and claims 15-23 under 35 U.S.C. § 103(a) as being

obvious over Landers in view of U.S. 6,003,575 to Koyama et al. ("Koyama") and/or U.S. 6,050,313 to Tsuda ("Tsuda"). Applicants respectfully traverse these rejections in view of the following remarks.

A. Claim 1-14:

Applicants cancel claims 1-14, without prejudice or disclaimer, thereby rendering the rejection of these claims moot.

B. Claim 15-30:

Claim 15, which is written in independent form, recites the following two features: (1) that the connection portions jointing the central auxiliary groove portion and the end portion auxiliary groove portions have --*a radius of curvature*--; and (2) that each of the end portion auxiliary groove portions --*resides in a quadrant different from the quadrant in which said central auxiliary groove portion resides*--. An exemplary embodiment of these features is depicted in Fig. 8. Here, the radius of curvature is designated with reference character "R." Further, as shown, the end portion auxiliary groove portions 28B form obtuse angles with the central auxiliary groove portion 28A. Thus, when the area of the land 26 is divided into four parts by two perpendicular lines (thereby forming "quadrants"), each of the end portion auxiliary groove portions 28B resides in a quadrant different from the quadrant in which the central auxiliary groove portion 28A resides. At least these features, in combination with the other limitations recited in claim 15, are not taught or suggested by the prior art relied upon by the rejection grounds.

To reject claim 15, the Examiner relies upon a combination of Landers (as applied against claim 1) and Koyama and/or Tsuda. In so doing, the Examiner recognizes that Landers' sipe 17 does not extend "smoothly" from the inclined portion to the end portions. Therefore, the Examiner looks to the secondary references of Koyama and Tsuda to allegedly teach this feature. Applicants respectfully disagree for a couple of reasons.

First, the rejection grounds' reliance upon the primary reference to Landers is misplaced. As shown in Fig. 3, each lug 18 includes a sipe 17 that has an inclined portion and two end portions that open into the circumferential grooves 16. In sharp contrast to the claimed invention, however, the corner portions of the sipe 17 (which connect the inclined portion and the end portions together) do not have a "radius of curvature."

Second, the rejection grounds' reliance upon the secondary references is misplaced. For example, the secondary reference to Koyama discloses a sipe with acute (not obtuse) angles formed between the sipe components. For example, in Fig. 3, the sipe S is formed such that acute angles α_1 and α_2 are formed between the central component SC and each of the end portion components S1 and S2. As a result, the central component SC and the first component S1 reside in the same quadrant. The same is true with respect to the central component SC and the second component S2.

Also, the secondary reference to Tsuda discloses a sipe that is curved along its entire length, without having any straight groove portion. See the sipe 6 in Fig. 4, for example. Tsuda is therefore not pertinent to the straight central auxiliary groove portion required by claim 15.

AMENDMENT UNDER 37 C.F.R. § 1.111
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In view of the shortcomings noted above, Applicants respectfully assert that even if combined, the prior art would still not meet all of the limitations recited in claim 15. Consequently, the Examiner is respectfully requested to reconsider and withdraw the obviousness rejection of claim 15.

For these reasons, claim 15 is believed to be patentable, and claims 16-30 are believed to be patentable at least by virtue of their dependencies.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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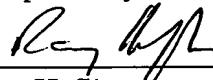
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Respectfully submitted,



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